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SEVENTY-NINTH LEGISLATIVE DAY
TUESDAY, MARCH 27, 2007

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Pearce, absent and formally excused by the Chair; and Senators Cameron, Coiner, Gannon, Keough, and Schroeder, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Brie Bermudez-Koch, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senators Coiner and Schroeder were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 26, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

President Risch assumed the Chair.

March 27, 2007

The JUDICIARY AND RULES Committee reports that **S 1138, S 1180, S 1202, S 1213, S 1230, S 1231, S 1232, and S 1233** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1138, S 1180, S 1202, S 1213, S 1230, S 1231, S 1232, and S 1233**, and ordered them transmitted to the House for the signature of the Speaker.

March 26, 2007

The JUDICIARY AND RULES Committee reports that **S 1123**, as amended, as amended in the House, has been correctly engrossed.

DARRINGTON, Chairman

S 1123, as amended, as amended in the House, was filed for first reading.

March 26, 2007

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 120** was delivered to the Office of the Secretary of State at 3:41 p.m., March 26, 2007.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 26, 2007

The JUDICIARY AND RULES Committee reports that Enrolled **S 1131, S 1142, S 1147, S 1149, S 1153, S 1157, as amended, S 1159, as amended, S 1166, S 1169, S 1179, S 1182, S 1183, S 1184, and S 1185** were delivered to the Office of the Governor at 4:15 p.m., March 26, 2007.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 26, 2007

The FINANCE Committee reports out **H 329** with the recommendation that it do pass.

CAMERON, Chairman

H 329 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 22, 2007

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1191

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 23, 2007

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1200 and S 1201

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 26, 2007

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

S 1016, as amended in the House, **S 1085**,
S 1161, as amended in the House, **S 1192**,
S 1193, **S 1194**, **S 1195**, **S 1198**, and **S 1199**

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senators Cameron, Gannon, and Keough were recorded present at this order of business.

S 1236 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKague, Richardson, Siddoway, Stegner. Total - 25.

NAYS--Bilyeu, Cronin (Burkett), Douglas (Werk), Kelly, Langhorst, Malepeai, Schroeder, Stennett. Total - 8.

Absent and excused--McKenzie, Pearce. Total - 2.

Total - 35.

Whereupon the President declared **S 1236** passed, title was approved, and the bill ordered transmitted to the House.

S 1237 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Cronin (Burkett), Darrington, Davis, Douglas (Werk), Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, Richardson, Schroeder, Siddoway, Stegner, Stennett. Total - 33.

NAYS--None.

Absent and excused--McKenzie, Pearce. Total - 2.

Total - 35.

Whereupon the President declared **S 1237** passed, title was approved, and the bill ordered transmitted to the House.

S 1238 was read the third time at length, section by section, and placed before the Senate for final consideration. Acting Senator Douglas arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Cronin (Burkett), Darrington, Davis, Douglas (Werk), Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, Richardson, Schroeder, Siddoway, Stegner, Stennett. Total - 33.

NAYS--None.

Absent and excused--McKenzie, Pearce. Total - 2.

Total - 35.

Whereupon the President declared **S 1238** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1123, as amended, as amended in the House, by State Affairs Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 327** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

H 327 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Cronin (Burkett), Darrington, Davis, Douglas (Werk), Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, Richardson, Schroeder, Stegner, Stennett. Total - 32.

NAYS--Siddoway. Total - 1.

Absent and excused--McKenzie, Pearce. Total - 2.

Total - 35.

Whereupon the President declared **H 327** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 329** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

H 329 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Cronin (Burkett), Darrington, Davis, Douglas (Werk), Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Kelly, Langhorst, Little, Lodge, Malepeai, McGee, Richardson, Schroeder, Stennett. Total - 26.

NAYS--Bair, Fulcher, Jorgenson, Keough, McKague, Siddoway, Stegner. Total - 7.

Absent and excused--McKenzie, Pearce. Total - 2.

Total - 35.

Whereupon the President declared **H 329** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

Senator Davis stated that the Senate would adjourn at this time in memory of former Representative Janet Miller who passed away March 23, 2007.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 10:30 a.m. until the hour of 10:00 a.m., Wednesday, March 28, 2007.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary